

Senate Engrossed House Bill

**FILED**

**JANICE K. BREWER  
SECRETARY OF STATE**

State of Arizona  
House of Representatives  
Forty-seventh Legislature  
Second Regular Session  
2006

**CHAPTER 332**

## **HOUSE BILL 2377**

AN ACT

AMENDING SECTIONS 42-16153 AND 42-16156, ARIZONA REVISED STATUTES; MAKING AN  
APPROPRIATION; RELATING TO THE STATE BOARD OF EQUALIZATION.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:  
2 Section 1. Section 42-16153, Arizona Revised Statutes, is amended to  
3 read:  
4 42-16153. Members  
5 A. The state board of equalization consists of:  
6 1. ~~Five~~ TEN members who are appointed by the board of supervisors of  
7 each county with a population of more than five hundred thousand persons  
8 according to the most recent United States decennial census.  
9 2. ~~Three~~ SIX members who are appointed by the governor from each  
10 county with a population of more than five hundred thousand persons according  
11 to the most recent United States decennial census.  
12 3. An additional member who is appointed by the governor, who is  
13 designated as chairman and who serves in a full-time capacity.  
14 B. Other than the chairman, members of the state board of equalization  
15 shall be selected on the basis of their work experience and other  
16 qualifications in at least one of the following categories:  
17 1. Experience in at least ~~four~~ THREE of the preceding eight years in  
18 property valuation, property tax appeals or appraising real property.  
19 2. A certified general appraiser under section 32-3612.  
20 3. A property valuation hearing officer or member of the state board  
21 of equalization, or any predecessor to the board, for at least ~~four~~ THREE of  
22 the preceding eight years.  
23 4. A member of the state bar of Arizona with at least ~~four~~ THREE years  
24 of experience in property valuation or condemnation practice.  
25 5. Experience in at least ~~four~~ THREE of the preceding eight years as a  
26 real estate broker.  
27 C. Members who are appointed by the county board of supervisors serve  
28 at the pleasure of the county board for terms that expire at the same time as  
29 the elective term of the county supervisors. Members who are appointed by  
30 the governor serve a term of five years. Members may be reappointed.  
31 D. Except as provided in section 42-16154, subsection A, members of  
32 the state board are eligible to receive:  
33 1. Not more than ~~one hundred fifty~~ THREE HUNDRED dollars per day for  
34 time spent in performing official duties, prorated for partial days spent on  
35 official duty.  
36 2. Reimbursement for travel and other expenses as provided by law for  
37 other state officers.  
38 E. Members who are appointed by a county shall be paid by the county.  
39 Members who are appointed by the governor shall be paid by the state.  
40 F. A member of the state board of equalization shall not:  
41 1. Hold any other public office under the laws of this state or a  
42 political subdivision of this state.

1           2. Be a candidate for an elective office under the laws of this or any  
2 other state nor take any direct or indirect part in an election campaign in  
3 the interest of a political party or any other organization, candidate or  
4 measure to be voted on by the people.

5           3. Hold any position of trust nor provide or engage in any occupation  
6 or business that would conflict with the duties of a member of the board.

7           4. OTHER THAN THE CHAIRMAN, HAVE BEEN EMPLOYED BY A COUNTY ASSESSOR OR  
8 COUNTY ATTORNEY OR BY THE DEPARTMENT OF REVENUE OR THE DEPARTMENT OF LAW  
9 WITHIN TWO YEARS BEFORE APPOINTMENT.

10          G. The governor may remove any member of the state board who was not  
11 appointed by a county board of supervisors for any of the following reasons:

12           1. Cause.

13           2. Failure to carry out the duties and responsibilities of the  
14 position.

15           3. Failure to follow the rules of the board.

16           4. Failure to follow the directions of the chairman as provided by  
17 law.

18          Sec. 2. Section 42-16156, Arizona Revised Statutes, is amended to  
19 read:

20           42-16156. Case assignment

21          A. The chairman of the state board shall assign tax cases on a random  
22 basis to members of the board to be heard as provided by this article.

23          B. The chairman shall assign each case involving:

24           1. Appeals of property valuations that are determined by the  
25 department and equalization orders that are issued pursuant to statute to  
26 members of the board who are appointed by the governor. This paragraph does  
27 not apply to any properties that are valued by the department but would  
28 otherwise be valued by the county assessor.

29           2. Property listed as class three pursuant to section 42-12003 or  
30 property valued by the assessor at one million dollars or less to be heard by  
31 at least one member of the board or by a hearing officer who shall be from  
32 the county in which the property is located.

33           3. Any other property to a panel of either three or five members of  
34 the board, at least two of whom shall be from the county in which the  
35 property is located unless the chairman is sitting as a representative of  
36 that county. The chairman of the board shall designate a member to act as  
37 chairman of each panel. WHEN POSSIBLE, AT THE CHAIRMAN'S DISCRETION, ON ANY  
38 PANEL:

39           (a) OF THREE MEMBERS, NO MORE THAN ONE MEMBER MAY HAVE BEEN EMPLOYED  
40 BY A COUNTY ASSESSOR OR COUNTY ATTORNEY OR BY THE DEPARTMENT OF REVENUE OR  
41 THE DEPARTMENT OF LAW WITHIN FOUR YEARS.

42           (b) OF FIVE MEMBERS, NO MORE THAN TWO MEMBERS MAY HAVE BEEN EMPLOYED  
43 BY A COUNTY ASSESSOR OR COUNTY ATTORNEY OR BY THE DEPARTMENT OF REVENUE OR  
44 THE DEPARTMENT OF LAW WITHIN FOUR YEARS.

1 C. The chairman may sit on any case as a hearing officer representing  
2 any county.

3 Sec. 3. Retention of members

4 All persons serving as members of the state board of equalization on  
5 the effective date of this act may continue to serve until expiration of the  
6 normal term of the member.

7 Sec. 4. Appropriation; purpose

8 The sum of \$30,000 is appropriated from the state general fund to the  
9 state board of equalization for the purposes of this act.

**APPROVED BY THE GOVERNOR JUNE 21, 2006.**

**FILED IN THE OFFICE OF THE SECRETARY OF STATE JUNE 21, 2006.**